

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Charles Michael Geiger, et al.,

Case No. 14-cv-1576 (JRT/LIB)

Plaintiffs,

v.

**REPORT AND RECOMMENDATION**

Minnesota Department of Human  
Services, et al.,

Defendants.

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This matter came before the undersigned United States Magistrate Judge upon Plaintiff Kenneth S. Daywitt's Motion to Dismiss, [Docket No. 13].

The Undersigned recommends construing Plaintiff's Motion to Dismiss as a Notice of Voluntary Dismissal, and, accordingly, recommends that the present action, as alleged by Plaintiff Daywitt, be **DISMISSED WITHOUT PREJUDICE**. Plaintiff Geiger's claims are unaffected by the present order.

DATED: June 13, 2014

s/Leo I. Brisbois  
Leo I. Brisbois  
U.S. MAGISTRATE JUDGE

**NOTICE**

Pursuant to Local Rule 72.2(b), any party may object to this Report and Recommendation by filing with the Clerk of Court, and serving all parties **by June 27, 2014**, a writing that specifically identifies the portions of the Report to which objections are made and the bases for each objection. A party may respond to the objections within **fourteen (14) days** of service thereof. Written submissions by any party shall comply with the applicable word limitations provided for in the Local Rules. Failure to comply with this procedure may operate as a forfeiture of the objecting party's right to seek review in the Court of Appeals. This Report and Recommendation does not constitute an order or judgment from the District Court, and it is therefore not directly appealable to the Court of Appeals.